

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BENJAMIN FELDMAN,

Petitioner,

vs.

BRIAN WILLIAMS, *et al.*,

Respondents.

2:10-cv-01112-GMN-LRL

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. Petitioner's application to proceed *in forma pauperis* (Docket #1) is incomplete. The application does not include a financial certificate signed by an authorized prison or jail officer, nor does it provide the necessary financial information regarding petitioner's prison account. The application will be denied, without prejudice, on that basis.

Petitioner will be granted time to do one of the following: (1) pay the \$5 filing fee, or (2) file a fully completed application to proceed *in forma pauperis* on the correct form, including the financial certificate signed by an authorized prison or jail officer. The Clerk will be ordered to provide petitioner with the correct form for an application to proceed *in forma pauperis*.

IT IS THEREFORE ORDERED that petitioner's application to proceed *in forma pauperis* (Docket #1) is **DENIED**, without prejudice to his filing a new, fully completed application.

IT IS FURTHER ORDERED that petitioner shall, within **thirty (30) days** from the date of entry of this order, do one of the following: (1) pay the \$5 filing fee, or (2) file a fully completed application to proceed *in forma pauperis*, on the correct form, including a financial certificate signed by an authorized prison or jail officer.


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1 **IT IS FURTHER ORDERED** that if petitioner does not timely comply with this
2 order, dismissal of this action may result.

3 **IT IS FURTHER ORDERED** that the Clerk shall **SEND** petitioner the approved
4 form for an application to proceed *in forma pauperis*.

5 **IT IS FURTHER ORDERED** that the Clerk shall retain the habeas petition
6 (received July 7, 2010), but shall not file it at this time.

7 DATED this 13th day of July, 2010.

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11 Gloria M. Navarro
12 United States District Judge
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